

ZB# 00-46

Michael Calvet

9-1-15.2

Prelim.
Sept. 11, 2000.

Public Hearing:

Oct. 23, 2000

Sign Variance

Granted -

Refund: 380.50

#00-46-Calvet, Michael

9-1-15.2

Area - Sign

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Calvet, Michael

FILE# 00-46

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X Sign

USE _____

APPLICATION FOR VARIANCE FEE \$ 150.00

*

*

*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 9/4/00 - 4 ... \$ 18.00
2ND PRELIMINARY-PER PAGE 10/23/00 - 7 ... \$ 31.50
3RD PRELIMINARY-PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 49.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 9/4/00 \$ 35.00
2ND PRELIM. 10/23/00 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 119.50

LESS ESCROW DEPOSIT \$ 500.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT . \$ 380.50

*paid ck # 64020
9/27/00
paid 9/27/00
ck # 64019*

Patricia C. Corsetti
289



O. AHLBORG & SONS INC.
General Building Contractors Since 1926
48 Motter Street
Cranston, Rhode Island 02910



57-1
115

64

Pay: *****Five hundred dollars and no cents

DATE
September 22, 2000

CHECK NO. 64019 AMOUNT \$*****500.00

PAY
TO THE
ORDER
OF

TOWN OF NEW WINDSOR

NEW WINDSOR, NY

ZBA #00-46

Paul A. Harty
AUTHORIZED SIGNATURE

⑈064019⑈ ⑆011500010⑆ 05855 00061⑈



O. AHLBORG & SONS INC.
General Building Contractors Since 1926
48 Moller Street
Cranston, Rhode Island 02910



57-1
115

64020

Pay: *****One hundred fifty dollars and no cents

DATE
September 22, 2000

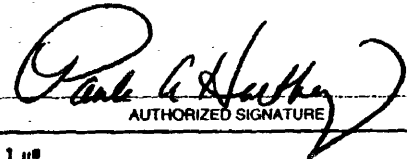
CHECK NO. AMOUNT
64020 \$*****150.00

PAY
TO THE
ORDER
OF

TOWN OF NEW WINDSOR

NEW WINDSOR, NY

#00-46.


AUTHORIZED SIGNATURE

⑈064020⑈ ⑆011500010⑆ 05855 00061⑈

file

In the Matter of the Application of

MICHAEL CALVET

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES**

#00-46.

WHEREAS, MICHAEL CALVET, 124 Windsor Highway, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 9 ft. sign height and 142 sq. ft. total sign area for a freestanding sign, plus 1.5 ft. sign height and 23.5 ft. sign width for a variance for proposed facade sign (United Rentals) at the above address in a C zone; and

WHEREAS, a public hearing was held on the 23rd day of October, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared with Alexander Peligian for the proposal; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located in a neighborhood of commercial properties.

(b) The Applicant is allowed to have a freestanding sign. He asked for permission to make this allowed sign larger than permitted by the Zoning Local Law.

(c) In addition to the sign variance, the Applicant seeks an increase in the allowed size for a wall sign.

(d) The property is located on a busy, commercial highway but at the bottom of a rise in elevation on that highway.

(e) The building on this property is located at a significantly higher elevation than is the highway and is removed from the highway approximately 400 ft.

(f) Because the property is located on the down slope of the adjacent commercial highway, a pylon sign higher than normal is required so that motorists can see the premises in time to safely stop there if they wish so.

(g) The motorists on the adjacent roadway travel at a higher rate of speed so that a sign which is larger than allowed by the Code is necessary.

(h) The wall sign will be illuminated with steady, interior illumination with no neon or flashing.

(i) The sign if constructed will not interfere with the vision of motorists for operation of motor vehicles on the adjacent road.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

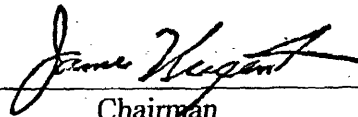
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 9 ft. sign height and 142 sq. ft. sign area variance for a proposed freestanding sign, plus 1.5 ft. height and 23.5 ft. width variance for a proposed façade sign at the above location, in a C zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: December 11, 2000.


Chairman

Date 11/13/00 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
11/27/00	Misc - 1			
	DeLaney - 1			
	UGA - 5			
	Orr - 3			
	Bobare - 3			
	Moore - 3			
	Stepay/Borko - 3			
	Calvet - 1	2 31.50		
	Cactus Desert - 15			
	ZBA Mtg 41		75 00	
			164 00	
			<u>239 00</u>	

CALVET, MICHAEL 235

MR. NUGENT: Request for 9 ft. height and 142 square foot sign area for freestanding sign, plus 1.5 ft. height and ~~37.5~~ ft. width variance for wall sign at 124 Windsor Highway in a C zone. Anyone here for the Michael Calvet public hearing? Let the record show that there's no one here.

Mr. Alexander Peligian and Mr. Michael Calvet appeared before the board for this proposal.

MR. PELIGIAN: That's the overview of the site plan showing specifically that this sign on the building is one of the signs at issue and this one down here which shows the distance here to the building. Now, looking at that distance, the architect has scaled that to 379 feet ten inches and that is to the face of the sign which is at the property line and from the property line we're looking at probably 35 or 40 feet to get to the center line of the road, just so that people going from the south to the north would be another at least 35 feet. So we have, we're over 400 feet, well over 400 feet from the street to see this, that's that issue and of course the pylon sign here is the other issue and those are exactly to scale.

MR. NUGENT: Plus there's a major height from the road level to the building level.

MR. PELIGIAN: Yes, yes, there's a--

MR. NUGENT: I don't know what it is but it's high.

MR. PELIGIAN: Yeah, that elevation, I don't know it, I don't, it was probably it's right on here, it's over 30 feet.

MR. MC DONALD: Closer to 40 feet.

MR. PELIGIAN: Which is another factor. Now, what I have done is I have prepared some packets for you and what I have done, I have put these in some kind of sequence for you and the first one being the sign on the facade and the dimensions of it and the second one

is a reduced scale of this plan that we showed here and it gives you a pretty good idea of how small the sign actually looks from here because of the scaling. So the size sign that we have asked for is extremely nominal for the distance for people to be able, I don't even know if they'll be able to read it. I think the impact will be that they'll see the sign lit up and they'll know that there's something there, I don't think it will be that readable from 400 feet, but that is the United Rentals' corporate standard throughout the country, that sign on the building facade. And so the--

MR. NUGENT: That's the 1 foot 5 height by 37.5 feet?

MR. CALVET: Yes.

MR. PELIGIAN: That's 33, no, I'm sorry, that's 33 feet 2 inches, the length of it and the height of the lettering is 33 1/2 feet. Our original application had been for five feet, I modified that with the application I submitted to pat so it's 3 1/2 feet tall so that's in conformance with the code, the width of it is what we're asking for the variance on that sign.

MR. NUGENT: You've got 37.5, we allow 10.

MR. PELIGIAN: It's 33.2.

MR. NUGENT: We allow 10 so you're only 23.

MR. KANE: What you're asking for, right?

MR. PELIGIAN: Yes, we're asking for 23.

MR. NUGENT: Not 37.

MR. TORLEY: And you don't require a height variance?

MR. NUGENT: No, don't need a height variance.

MR. TORLEY: So you're attempting to bring the sign closer in compliance with the code?

MR. PELIGIAN: I tried, I reduced the height of the

letters so that would be within code, but we need the width because of just the lettering of it. The variance is 23 foot 2 inches is the variance, I reduced the request so that it would be closer.

MR. NUGENT: The height is out, okay, now we'll go to pylon.

MR. PELIGIAN: For purposes of the pylon, I've got the color photograph.

MR. KRIEGER: Before you leave the wall sign, it will be illuminated, steady illumination, no neon, no flashing?

MR. PELIGIAN: The illumination will be back lit.

MR. KRIEGER: Okay.

MR. PELIGIAN: Now, on this one, this photograph that I used was the one that the exact sign that's in Redding, Pennsylvania and it's a brand new one that was just done a few months ago and that's the reason I got that picture and next to it, I've got the detail of the sign. Now, I know the height of the sign is what we're, is an item we're looking for 9 feet variance and part of the reason for that is that it's at the bottom of a hill, so people coming over the brow of the hill if that sign were too low wouldn't even see it until they're almost on top of it. And in addition to that, if you look at the two photographs that follow this sheet, you can see how first of all how narrow the driveway is but the second photograph the last page the second photograph there will demonstrate to you that the shrubbery and trees that are on the property right adjacent to that driveway are such that coming from the north coming from the south driving to the north when you're on the other side of the street coming down, you have to be within 150 or 175 feet of the driveway before you would see the sign because of these trees and shrubs and therefore if it's a little bit higher, it's more in the plain of vision as you're driving down the hill because it is a pretty high hill, this is at the bottom of the hill.

MR. TORLEY: How much more sight distance you gain by having the sign height as you request versus what it would be if it met the code.

MR. PELIGIAN: I did not try to calculate that, I have to confess, I did not do that. It was, to me, it was so blatantly obvious that I thought that the photograph and the fact that we all know that that's a pretty steep hill and that this being at the foot of the hill would justify itself without going through the mathematics of it.

MR. TORLEY: But the sign itself, where the sign is in relation to the road is at the same plain as the road, correct, in other words, the sign is not sunken below the road level?

MR. PELIGIAN: No, it's at road level, the base of the sign will be at grade.

MR. TORLEY: And you're still asking for 9 feet more than the Town Board has decided is proper for a sign?

MR. PELIGIAN: Yes, we're asking for 9 feet more height simply because it is, it's almost like being in a hole because you're at the foot of the hill, the bottom of the hill and when you're coming over a hill like that and driving down, it's really not in your plain of vision, you'd have to look for it by having it up higher, it would make it a lot easier to be seen.

MR. CALVET: There has been traffic accidents there, people stopping because they haven't seen the sign, stopping short, trying to get in our driveway.

MR. TORLEY: Have you discussed with your adjacent property owner to have him cut back some of the shrubs or you do it for them?

MR. PELIGIAN: I believe that--

MR. CALVET: It's owned by St. Joseph's School.

MR. TORLEY: Have you spoken to them about the shrubbery?

MR. CALVET: No, I haven't.

MR. TORLEY: Would you care to describe why you think you need a larger sign area than code?

MR. PELIGIAN: Well, it's, again, we're on a highway with a 45 mile speed limit versus a normal business neighborhood street where the speed limit is 25, so you're traveling at almost double the speed and therefore, smaller sign you'd be by it before you really, before it made an impact on you, a larger sign would catch your eye at the higher speeds.

MR. TORLEY: If you did not have a menu board below your United Rentals, that would be within code, closer to it?

MR. PELIGIAN: Well, it would reduce the request by almost a half because that menu board, all the space counted together is 66 square feet.

MR. KANE: You take the menu board away, you lose a lot of advertising for the particular business, considering how many feet they are off the road, to take that menu sign away is kind of rough, they're almost 400 feet.

MR. REIS: Due to the lay of the land, we're all familiar with this particular location, I'm sure if I were putting up a business there, I probably would require and request a larger sign than these fellas are asking for, especially the fact that they're so far back off the road.

MR. TORLEY: I have no trouble with the building sign.

MR. NUGENT: Well, this sign is not going to be far off the road.

MR. KANE: The menu portion of the sign is a lot of advertising for a business when you're that far off the road.

MR. PELIGIAN: The menu portion actually tells you what business is there, other than the fact it's rental, it

identifies some of the things that he deals with, that was the purpose of the menu board. And in Redding, Pennsylvania, they had to go before a zoning board also and the zoning board there granted it because of the nature of it. Actually, when you look at that photograph, their problem was nowhere near what Mike Calvet has to deal that because that's on a flat road. Mike Calvet's coming down a steep hill to the foot of the hill which makes it a far more difficult situation in terms of the effectiveness of the sign.

MR. REIS: You're not going to be hampering sight distance or turning ingress egress for traffic, it's not going to impact that in any way?

MR. PELIGIAN: Not at all.

MR. REIS: Just for the record.

MR. PELIGIAN: No, it will not impact it at all and this will have no impact on the sign area.

MR. KANE: Is the sign illuminated?

MR. PELIGIAN: Internally.

MR. KRIEGER: Steady illumination, no neon, no flashing?

MR. PELIGIAN: Right.

MR. MC DONALD: How far off the edge of pavement is the sign going to be?

MR. PELIGIAN: Well, it's got to be within the property line so it's set back from the edge of pavement, it must be somewhere between 20 and 25 feet.

MR. MC DONALD: What I was concerned about is the width of this down here and even looking at this, if I'm standing here and sitting here trying to get on to the highway I can't see what's going on back here.

MR. MC DONALD: Yeah, but you've got a minimum of 20 feet from the edge of the sign to the pavement.

MR. PELIGIAN: You have a full car length, easily a full car length.

MR. REIS: Accept a motion?

MR. TORLEY: I'd like to take this as two separate motions, if I may and I would move that we grant the applicants for their requested variances for the building sign.

MR. KANE: Second the motion.

ROLL CALL

MR. REIS	AYE
MR. MCDONALD	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. TORLEY: I now move that we grant the variance requested for the freestanding pylon sign.

MR. MC DONALD: Second it.

ROLL CALL

MR. REIS	AYE
MR. MCDONALD	AYE
MR. KANE	AYE
MR. TORLEY	NO
MR. NUGENT	AYE

00-46.

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 8/2/00

APPLICANT: Michael Calvet
124 Windsor Highway
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/28/00

FOR : United Rentals Freestanding sign

LOCATED AT: 124 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 9-1-15.2

DESCRIPTION OF EXISTING SITE: Existing tool rental

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18, H1a

1. 1 Freestanding sign permitted not to exceed 15ft high and a total of 64sqft all faces. Proposed sign will be 24ft high and 206sqft all faces.

Louis J. Kuyheer
BUILDING INSPECTOR

VARIANCE
REQUEST:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #:

718-2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Michael Calvet

Address 124 Windsor Highway Phone 562-4650

Mailing Address Same

Name of Architect Excell

Address 4 Park Plaza Suite 100, Irvine CA Phone 949-223-6300

Name of Contractor O. Ahlborg & Sons, Inc.,

Address 48 Molter Street, Cranston RI 02910 Phone 401-467-6300

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the N W side of Windsor Highway
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 9 Block 1 Lot 15.2

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Tool/Equipment Rental b. Intended use and occupancy Same

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒ Sign

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front _____ Rear _____ Depth 60 Height _____ No. of stories _____

7. Dimensions of entire new construction. Front 80 Rear 80 Depth _____ Height 23 No. of stories 1

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use Tool/Equipment Rental

10. Estimated cost _____

Fee

\$50.00

ck#62514

PAID

1 / 1
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krychear
New Windsor Town Hall
655 Union Avenue
New Windsor, New York 12553
(914) 563-4818
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

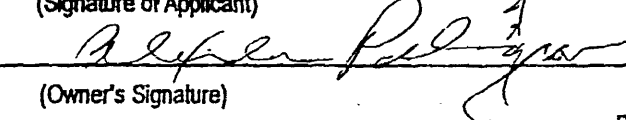
INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.


(Signature of Applicant)

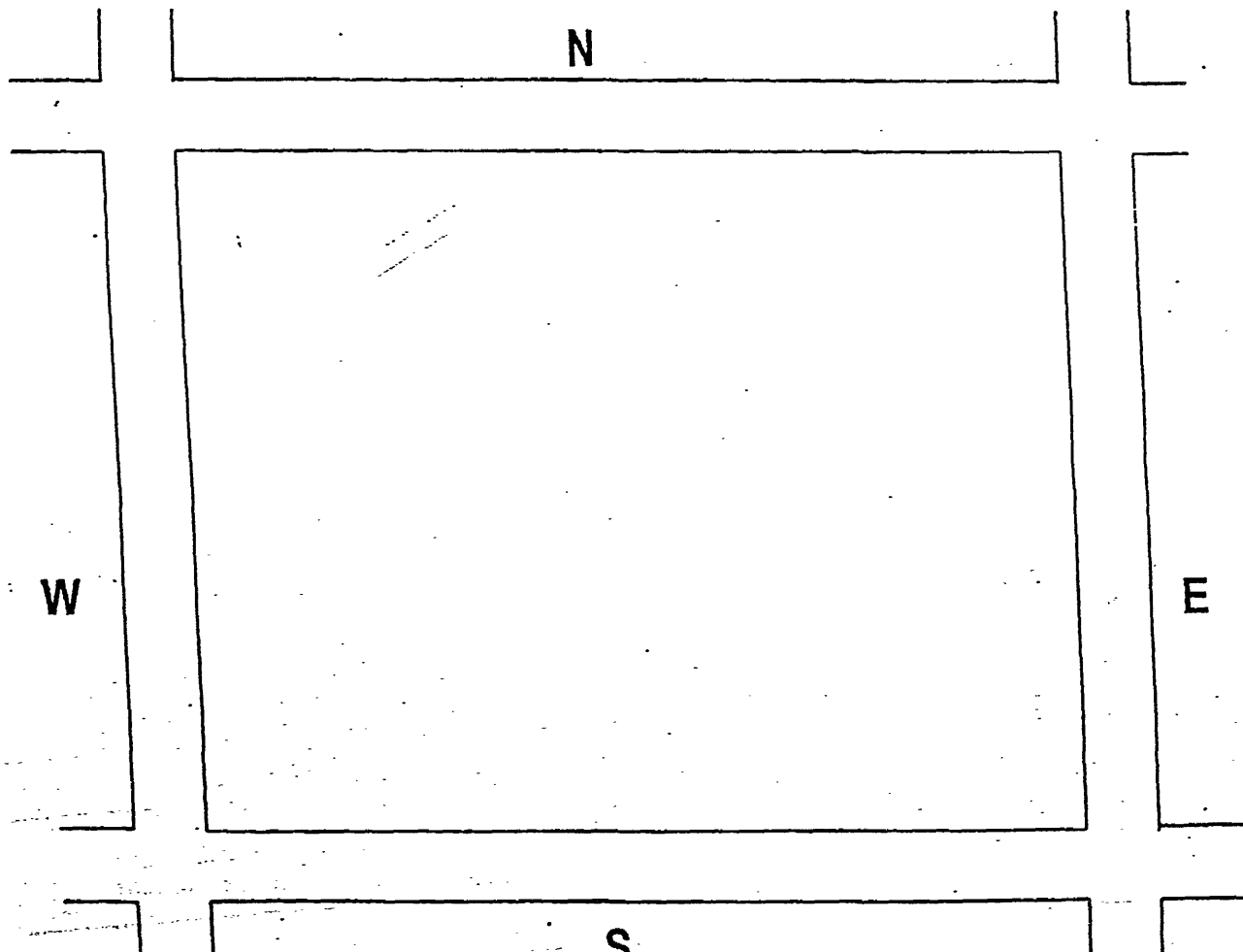
48 MOLTER ST. CRANFORD, N.J.
(Address of Applicant)


(Owner's Signature)

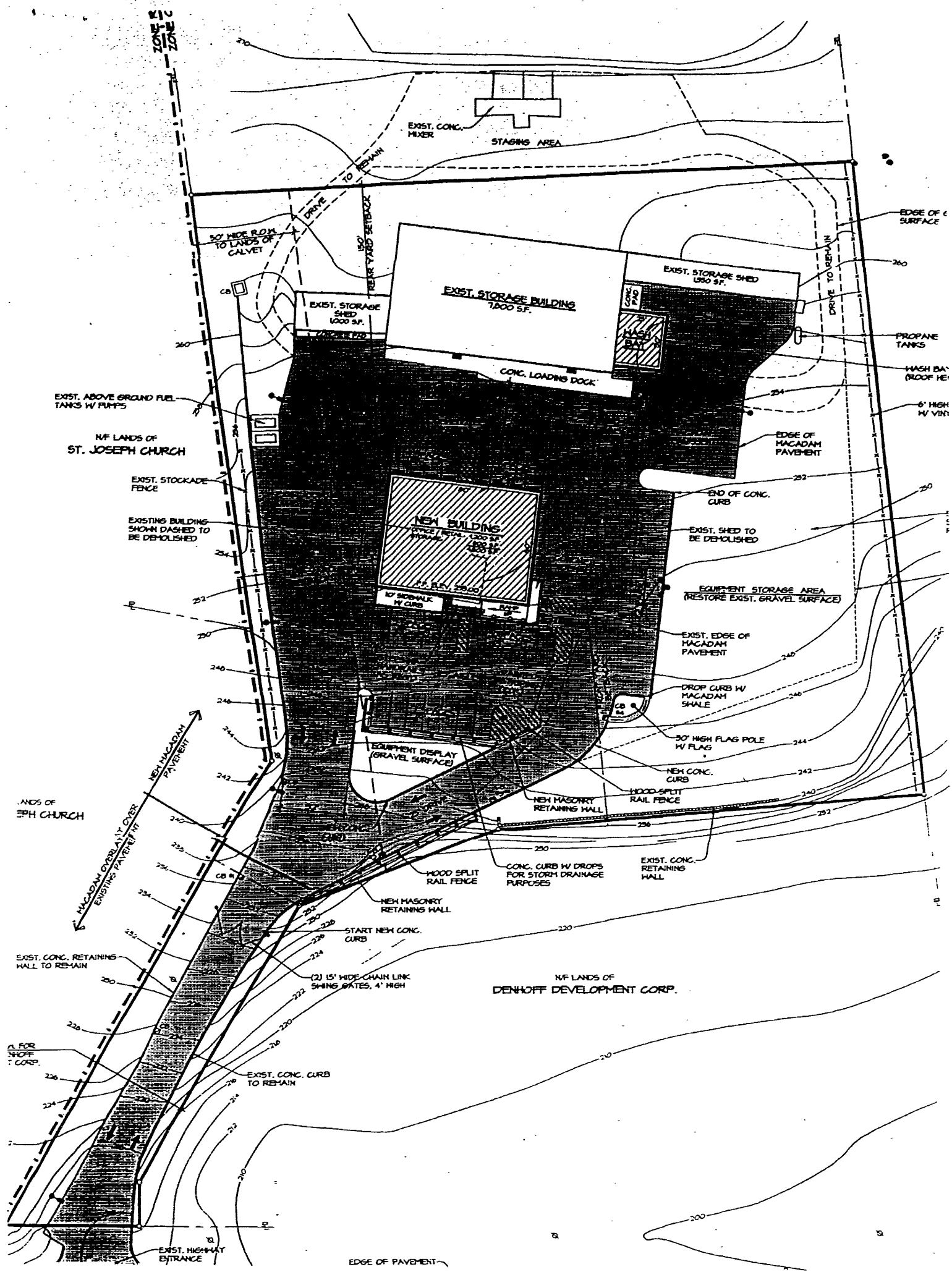
(Owner's Address)

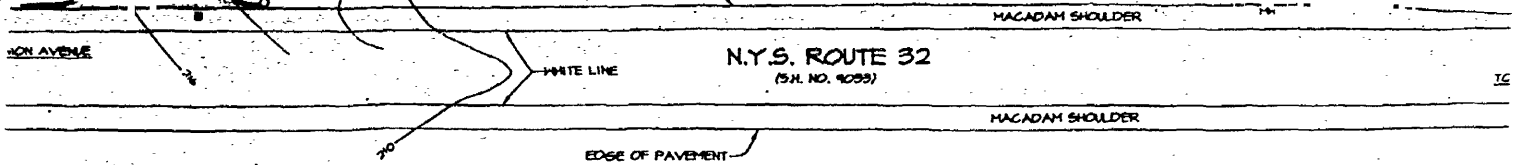
PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLAT





124 WINDSOR HIGHWAY

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
COPY
Sept. 11,
2000
#00-46

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DATE: 8/2/00

APPLICANT: Michael Calvet
124 Windsor Highway
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/28/00

FOR : United Rentals Facade Sign

LOCATED AT: 124 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 9-1-15.2

DESCRIPTION OF EXISTING SITE: Existing tool rental

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18, H1b

1. Facade signs. Building face is greater than 300ft from the street. 1-3.5ft high by 10ft wide is permitted, proposed sign is 5ft high by 47.5ft wide.

Louis J. Vukobrat
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: C USE: Facade sign

SIGN: 1 Facade sign

FREESTANDING:

HEIGHT: 3.5ft 5ft 1.5ft

WIDTH: ~~33.5'~~ ~~47.5ft~~ 10ft ~~37.5ft~~ ~~23.5'~~

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

COBY

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit # 719-2000

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Michael Calvet

Address 124 Windsor Highway Phone 562-4650

Mailing Address Same

Name of Architect Excell

Address 4 Park Plaza Suite 100, Irvine CA Phone 949-223-6300

Name of Contractor O. Ahlborg & Sons, Inc.,

Address 48 Molter Street, Cranston RI 02910 Phone 401-467-6300

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the N W side of Windsor Highway
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y N

3. Tax Map Description: Section 9 Block 1 Lot 15.2

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Tool/Equipment Rental b. Intended use and occupancy Same

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒ Sign

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

7. Dimensions of entire new construction. Front 80 Rear 80 Depth _____ Height _____ No. of stories 1

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use Tool/Equipment Rental

10. Estimated cost _____ Fee \$50.00

Ch # 62513

Re # 1252

PAID

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
655 Union Avenue
New Windsor, New York 12553
(914) 563-4818
(914) 563-4893 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

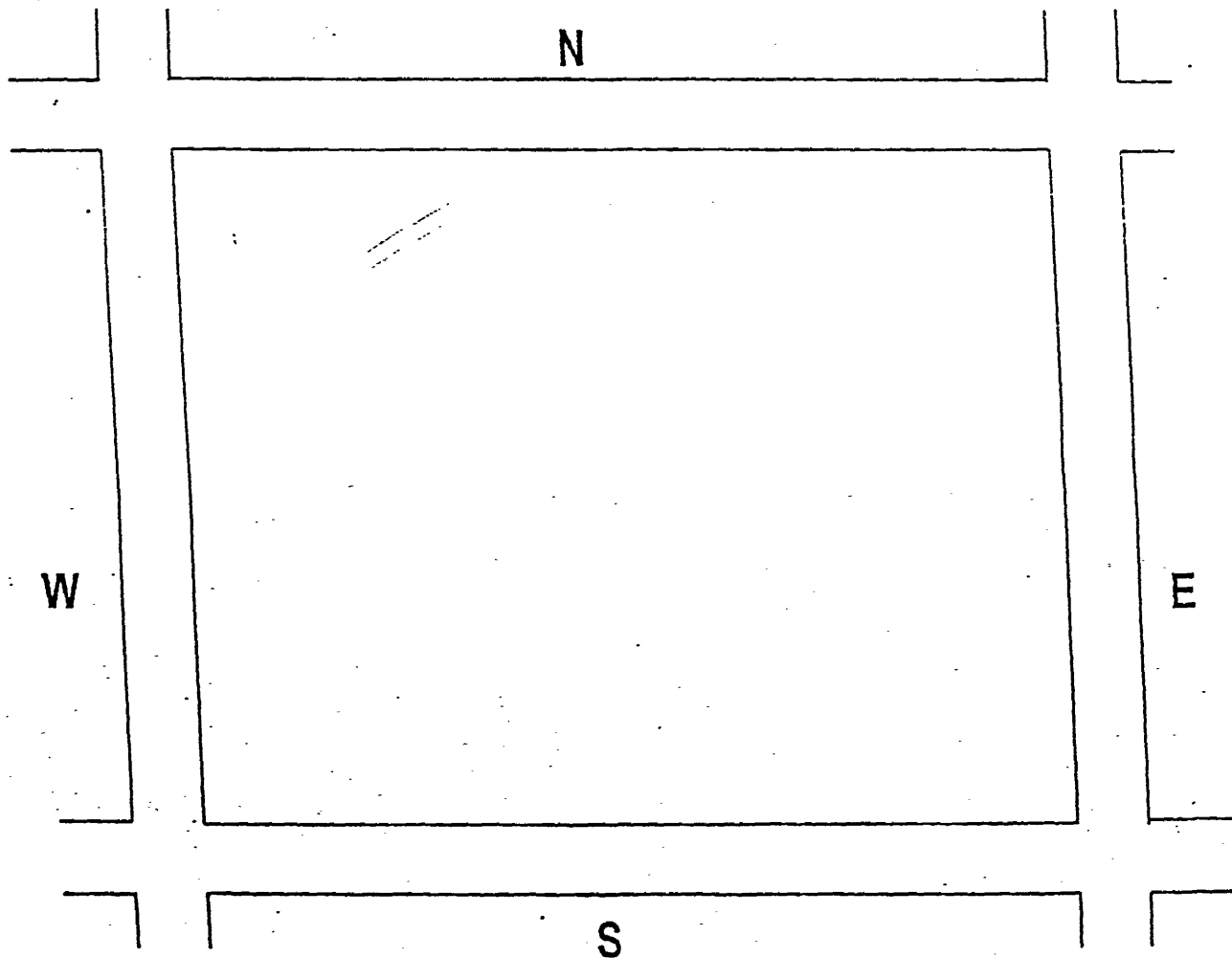
(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(814) 563-4611

RECEIPT
#739-2000

09/27/2000

Sons, Inc. O. Ahlberg &

Calvet, Michael

Received \$ 150.00 for Zoning Board Fees, on 09/27/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

ZB # 00-46

Cr # 64020

Dorothy H. Hansen
Town Clerk



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

September 21, 2000

10

Alexander Peligian
48 Molter Street
Cranston, Rhode Island 02910

Re: 9-1-15.2 Michael Calvet

Dear Mr. Peligian:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$25.00, minus your deposit of \$25.00.

There is no further balance due.

Sincerely,

Leslie Cook
Sole Assessor

LC/ld
Attachments

CC: Pat Corsetti, ZBA

Central Hudson Gas & Electric Corp.
284 South Avenue
Poughkeepsie, NY 12602

Roman Catholic Church of St. Joseph
6 St. Joseph's Place
New Windsor, NY 12553

Denhoff Development Corporation
C/o Mike L. Denhoff
711 Third Avenue 15th Floor
New York, NY 10017

Beverly A. Strack
114 Windsor Highway
New Windsor, NY 12553

James & Regina De Crosta
108 Windsor Highway
New Windsor, NY 12553

MYTORI, Inc.
102 Windsor Highway
New Windsor, NY 12553

Joseph Kim Doo
425 Angola Road
Cornwall, NY 12518

Gerard Impellittiere Jr.
C/o Duffer's Hide-A-Way
139 Windsor Highway
New Windsor, NY 12553

Ernest H. Borchert
Living Trust ETAL.
Lattintown Road
Marlboro, NY 12542

John L. Devitt
334 Angola Road
Cornwall, NY 12518

Pls. publish immediately. Send bill to Applicant @ below address.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 46.

Request of Michael Calvet

for a VARIANCE of the Zoning Local Law to Permit:

1 - 2 Sided freestanding sign - 24' high, Total sign surface : 206 square feet

1- Facade sign 3.5 High x 33.2, Total sign surface : 116.2 square feet

being a VARIANCE of Section 48 - 18 H1a - Supplemental Sign Regs.

for property situated as follows:

124 Windsor Highway

known and designated as tax map Section 9, Blk. 1 Lot 15.2

PUBLIC HEARING will take place on the 23rd day of October, 2000, ~~PM~~ at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

JAMES NUGENT

Chairman

By: Patricia A. Corsetti, Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-46

Date: 09/27/00

I. Applicant Information:

- (a) Michael Calvet
(Name, address and phone of Applicant) (Owner)
- (b) United Rentals, 124 Windsor Highway, New Windsor, N.Y. 12553 (914) 562-4560
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) Alexander Peligian, O. Ahlborg & Sons, 48 Molter Street, Cranston, RI 02910
(Name, address and phone of contractor/engineer/architect)
(401) 467-6300

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☐ Area Variance ☐ Interpretation

III. Property Information:

- (a) C 124 Windsor Highway 9 1 15.2 128,938sf.
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R2 and NC
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 5/24/2000
- (e) Has property been subdivided previously? Yes
- (f) Has property been subject of variance previously? Yes
If so, when? 9-26-83
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail:
Michael Calvet has been operating this tool and equipment rental and sales business with on going outside storage of large tool and equipment since 1983.

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: N/A

(a) Area variance requested from New Windsor Zoning Local Law, Section , Table of Regs., Col. .

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u> </u>	<u> </u>	<u> </u>
Min. Lot Width <u> </u>	<u> </u>	<u> </u>
Reqd. Front Yd. <u> </u>	<u> </u>	<u> </u>
Reqd. Side Yd. <u> </u>	<u> </u>	<u> </u>
Reqd. Rear Yd. <u> </u>	<u> </u>	<u> </u>
Reqd. Street Frontage* <u> </u>	<u> </u>	<u> </u>
Max. Bldg. Hgt. <u> </u>	<u> </u>	<u> </u>
Min. Floor Area* <u> </u>	<u> </u>	<u> </u>
Dev. Coverage* <u> </u> %	<u> </u> %	<u> </u> %
Floor Area Ratio** <u> </u>	<u> </u>	<u> </u>
Parking Area <u> </u>	<u> </u>	<u> </u>

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section 48 18, H14 Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1 Plyon Free Standing	15' High	24' High	9 FT.
Sign	64 SQ. FT.	206 SQ. FT.	142 SQ. FT.
Sign 2 Facade	3.5 FT. High	3.5 FT. High	- 0 -
Sign	10 FT. Wide	33.2 FT. Wide	24.2 FT.
	35 Sq. FT.	116.2	81.2 Sq. FT.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

Sign # 1 - The company logo portion of the sign is 5 ft. high and 14 ft. wide and the menu board portion is 3 ft. high and 11 ft. wide. With a top of sign elevation at 24 ft. it should be visible at a greater distance than the present sign. The existing sign, when approaching from the south is not visible until coming within 275 ft.. With a 45 M.P.H. speed limit a driver would have to suddenly slow-down or miss the narrow entranceway, turn around and come back. (This is what is happening now.) The sign is plainly visible coming from the north.

Sign # 2 - is 3.5 ft. high and 33.2 ft. long and contains the company logo and name only. The 380 ft. set-back from the street makes this a minimal size to be at all visible from the street.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

239.2 square feet

VII. Interpretation. N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the proposal before the Board:
- _____
- _____
- _____
- _____
- _____

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

Date 9/13/10, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
..... Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
9/11/10		Zoning Board Mtg	75.00	
		Misc 1		
		Sleazy - 3		
		Sandcastle - 2		
		Calbet - 4 18.00		
		Evans - 4		
		Moore - 3		
		Hmsinger - 3		
		Kelly - 3		
		Pearson - 2		
		Schlesinger - 8		
		Lehman - 2	157.50	
		35	232.50	

CALVET, MICHAEL

MR. TORLEY: Request for 1.5 ft. sign height and 37.5 ft. sign width for facade sign and 9 ft. sign height for freestanding sign, plus a variance for 142 square feet total all signs at United Rentals, 124 Windsor Highway in a C zone.

Mr. Michael Calvet and Mr. Alex Peligian appeared before the board for this proposal.

MR. PELIGIAN: That's a detail of the sign that we're proposing for the face of the building. What we have in this package is the shrink copy of the plot plan and I'm sure you have it. And this is a copy of the sign that goes on the face, you should have that and the other one you have is the freestanding, the other documents that is with these is the construction specification for the sign.

MR. TORLEY: At the moment we're looking at the dimensions again preliminary meeting.

MR. PELIGIAN: I have the dimensions.

MR. TORLEY: Can you give some explanation why you need a sign that's substantially above code?

MR. PELIGIAN: Well, I think if you look at the lot, simply looking at the lot, we have in excess of 300 feet from the street to the building. Now, if you look at this drawing, we have, I had the architect, the small block that you see on top here is the regulation sign the ordinance allows, the sign beneath it is the one that we're proposing. You can see that from that distance, even the one we're proposing would be hardly legible but at least it would be seen and we have the same kind of dilemma down on the street and these photographs show it.

MR. NUGENT: Pylon sign taking the place of the existing sign?

MR. PELIGIAN: Yes.

MR. NUGENT: Same location?

MR. CALVET: Yes.

MR. PELIGIAN: And we took these pictures because looking south on Route 32, you have pretty good visibility of the sign, looking north, you have that and of course, from across the street, you have all overgrowth here, so that the property is blind except from the south, except looking south from the north and therefore, the larger sign would by virtue of its size would be something that they would see.

MR. NUGENT: They are requesting one foot five sign height, can't they bring that down to what's required?

MR. PELIGIAN: Say that again.

MR. NUGENT: Part of the request is for a one foot five sign height, the height of the sign, can't they bring it down to 15 foot and leave it or they've got to have 15?

MR. BABCOCK: That's the facade sign, they're allowed a 3 1/2 foot sign, they're asking for a five foot sign.

MR. PELIGIAN: 3 1/2 we're asking for 5, that's on the building, on the face of the building.

MR. TORLEY: They're asking for 9 foot sign height on the pillar?

MR. BABCOCK: That's correct.

MR. PELIGIAN: Well, on the pillar, we, our experience in other areas we do this throughout the northeast, the average height is higher than your local ordinance but that's your local ordinance, I understand that, but looking at the sign, it would be judicious to have that height.

MR. TORLEY: I would for me personally for me when it gets to the public hearing, I'd like some more information why the sign has to be 9 feet higher than code and please if the height is because you want to be

visibility under the sign for drivers and safety, let us know that but I'd like to know some more information on that.

MR. PELIGIAN: Excuse me, do you have a section in the ordinance that specifies a minimum clearance below the sign to the ground?

MR. BABCOCK: No.

MR. PELIGIAN: Some communities do, that's why I ask.

MR. REIS: What's your existing sign?

MR. CALVET: The existing sign was reduced from what we had before because they just made the sign quickly and I think it's 4 x 6 now but that was reduced from what Calvet Tool Rental had when they took down our sign and put theirs up now I don't know it, I don't remember going for a variance.

MR. TORLEY: Freestanding sign itself is oversized too as far as area, right?

MR. PELIGIAN: Yes.

MR. TORLEY: Is the 142 square feet just for the freestanding sign.

MR. BABCOCK: They're allowed 64, they're asking for a sign that's 206 so they need a variance of 142.

MR. TORLEY: Again, I don't want to spend a lot of time tonight but when you come back for the public hearing you're asking for a very substantial variance over our code.

MR. PELIGIAN: I don't believe it's much out of character with what I have seen going south on 32 from Calvet Tool, I was driving south there today and--

MR. TORLEY: Unfortunately, a lot of the signs probably are also not within code.

MR. PELIGIAN: A lot of them are brand new.

MR. TORLEY: Some received variances but the Town Board has given us the instructions of what they want for sign size, height, et cetera and we're bound to try to minimize variances beyond that as far as state law.

MR. PELIGIAN: Well, I think there should be some allowance for the character of the area and the character of the operation and I think that's the purpose.

MR. NUGENT: I don't have a problem with the facade sign because they're 300 some feet off the road, they can put a blinking sign-up there, you wouldn't barely see it, I'm concerned about the height.

MR. TORLEY: When we get to the public hearing, be prepared to talk about that.

MR. REIS: Accept a motion? I make a motion we set up Calvet for their requested variances.

MR. MC DONALD: Second it.

ROLL CALL

MR. MC DONALD	AYE
MR. REIS	AYE
MR. NUGENT	AYE
MR. TORLEY	AYE

MR. KRIEGER: If you would take that sheet in front of you, take that with you, those are the criteria on which the Zoning Board must decide by state law.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

A.
MICHAEL/CALVET

TO
TBS CONSULTING, LLC

SECTION 9 BLOCK 1 LOT 15.2. 15.3-15.4

RECORD AND RETURN TO:
(Name and Address)

BLOOM & BLOOM PC
POST OFFICE BOX 4323
NEW WINDSOR, NEW YORK 12553
ATTN: DANIEL J. BLOOM, ESQ. R-8543 (B)

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED xx MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

<u> </u> 2089 BLOOMING GROVE (TN)	<u> </u> 4289 MONTGOMERY (TN)
<u> </u> 2001 WASHINGTONVILLE (VLG)	<u> </u> 4201 MAYBROOK (VLG)
<u> </u> 2289 CHESTER (TN)	<u> </u> 4203 MONTGOMERY (VLG)
<u> </u> 2201 CHESTER (VLG)	<u> </u> 4205 WALDEN (VLG)
<u> </u> 2489 CORNWALL (TN)	<u> </u> 4489 MOUNT HOPE (TN)
<u> </u> 2401 CORNWALL (VLG)	<u> </u> 4401 OTISVILLE (VLG)
<u> </u> 2600 CRAWFORD (TN)	<u> </u> 4600 NEWBURGH (TN)
<u> </u> 2800 DEERPARK (TN)	<u>xx</u> 4800 NEW WINDSOR (TN)
<u> </u> 3089 GOSHEN (TN)	<u> </u> 5089 TUXEDO (TN)
<u> </u> 3001 GOSHEN (VLG)	<u> </u> 5001 TUXEDO PARK (VLG)
<u> </u> 3003 FLORIDA (VLG)	<u> </u> 5200 WALLKILL (TN)
<u> </u> 3005 CHESTER (VLG)	<u> </u> 5489 WARWICK (TN)
<u> </u> 3200 GREENVILLE (TN)	<u> </u> 5401 FLORIDA (VLG)
<u> </u> 3489 HAMPTONBURGH (TN)	<u> </u> 5403 GREENWOOD LAKE (VLG)
<u> </u> 3401 MAYBROOK (VLG)	<u> </u> 5405 WARWICK (VLG)
<u> </u> 3689 HIGHLANDS (TN)	<u> </u> 5600 WAWAYANDA (TN)
<u> </u> 3601 HIGHLAND FALLS (VLG)	<u> </u> 5889 WOODBURY (TN)
<u> </u> 3889 MINISINK (TN)	<u> </u> 5801 HARRIMAN (VLG)
<u> </u> 3801 UNIONVILLE (VLG)	
<u> </u> 4089 MONROE (TN)	
<u> </u> 4001 MONROE (VLG)	
<u> </u> 4003 HARRIMAN (VLG)	
<u> </u> 4005 KIRYAS JOEL (VLG)	

CITIES

 0900 MIDDLETOWN
 1100 NEWBURGH
 1300 PORT JERVIS

NO. PAGES 5 CROSS REF

CERT. COPY ADD'L X-REF

MAP # PGS.

PAYMENT TYPE: CHECK

CASH

CHARGE

NO FEE

CONSIDERATION \$

TAX EXEMPT

MORTGAGE AMT \$

DATE

MORTGAGE TAX TYPE:

 (A) COMMERCIAL/FULL 1%

 (B) 1 OR 2 FAMILY

 (C) UNDER \$10,000

 (E) EXEMPT

 (F) 3 TO 6 UNITS

 (I) NAT. PERSON/CR. UNION

 (J) NAT.PER-CR.UN/1 OR 2

 (K) CONDO

Donna L. Benson

DONNA L. BENSON
Orange County Clerk

9999 HOLD

RECEIVED FROM: *Hoshea Leachman*

LIBER 5305 PAGE 162

LIBER 5305 PAGE 162

ORANGE COUNTY CLERKS OFFICE 30752 MLV
RECORDED/FILED 06/05/2000 08:45:20 AM

FEES	50.00	EDUCATION FUND	5.00
SERIAL NUMBER:	009818		
DEED CNTL NO	57172	RE TAX	.00

G010749

BARGAIN AND SALE DEED

With Covenants Against Grantors Acts

THIS INDENTURE, made the 24th day of May, Two Thousand,
BETWEEN MICHAEL A. CALVET residing at 45 Eastview Rd., Highland
Grantor, mills, N.Y. 10930

and TBS CONSULTING, LLC, with its principal offices located 75 Eastview Road, Highland Mills, New York 10930, County of Orange, New York 10930
Grantee,

WITNESSETH, that the party of the first part, in consideration of One (\$1.00) Dollar lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, their heirs or successors and assigns of the

Property Address: 124 Windsor Highway, Route 32, New Windsor, New York
County of Orange Section 9 - Block 1 - Lot 15.2, Lot 15.3, Lot 15.4

PARCEL I

ALL that certain piece or parcel of land lying, situate and being in the Town of New Windsor, Orange County, New York, being Lot No. 2 as shown on a map entitled "Calvet Tool Rental, Inc., Minor Subdivision", said map having been filed in the Orange County Clerk's Office on 20 June 1984 as Map No. 6610, and being more particularly described as follows:

BEGINNING at a point in the westerly line of the N.Y.S. Highway known as Route 32 (S.H. 9033), said point being at the intersection of said line with the southerly line of lands now or formerly of Calvet Tool Rental, Inc. and the northerly line of the St. Joseph's Elementary School Property, and running thence, the following courses:

1. Along said St. Joseph's Elementary School Property N 22 degrees 20' 00" W 279.25' to a point;
2. Still along said St. Joseph's Elementary School Property N 61 degrees 01' 00" W 300.00' to a point;
3. Along Lot 3, N 33 degrees 27' 02" E 344.96' to a point in the southerly line of lands now or formerly of Honsberg;
4. Along said Honsberg, S 59 degrees 12' 00" E 335.00' to a point;
5. Along Lot 1, S 31 degrees 36' 32" W 221.84' to a point;
6. Still along said Lot 1, S 16 degrees 10' 24" W 111.47' to a point;
7. Still along said Lot 1, S 22 degrees 20' 00" E 167.58" to a point;
8. Still along said Lot 1, S 51 degrees 31' 45" E 22.77' to a point in the westerly line of Route 32;
9. Along said westerly line of Route 32, S 38 degrees 28' 15" 70.00' to the point or place of beginning.

Containing 129,004 square feet, 2.96 acres of land, more or less.

SUBJECT to a right of way for ingress or egress in favor of Lot 3, as shown on the above-referenced subdivision map, being more particularly described as follows:

PARCEL I

BEING AND INTENDED to be those same premises described in a certain deed dated May 27, 1998 running from Calvet Tool Rental & Servicer, Inc. to Michael A. Calvet which deed was recorded in the Orange County Clerk's Office on June 1, 1998 in Liber 4796 at page 124.

PARCEL II

BEING AND INTENDED to be those same premises described in a certain deed dated May 27, 1998 running from Calvet Tool Rental & Servicer, Inc. to Michael A. Calvet which deed was recorded in the Orange County Clerk's Office on June 1, 1998 in Liber 4796 at page 130.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises. said premises.

TO HAVE AND TO HOLD, the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever.

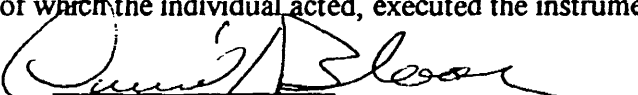
AND the said grantor covenants that the grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law. The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


Michael A. Calvet

State of New York)
) ss.:
County of Orange)

On May 24, 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared **MICHAEL A. CALVET**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public
DANIEL J. BLOOM
NOTARY PUBLIC, STATE OF New York
Residing in Orange County
Comm. Expires March 30, 19



LEGAL DESCRIPTION

SCHEDULE "A" (parcel 1)

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York being lots 2 & 3 as shown on a certain map entitled "SUBDIVISION FOR CALVET TOOL RENTAL, INC." filed in the Orange County Clerks Office on June 20, 1984 as map number 6610, bounded and described as follows:

BEGINNING at a point on the westerly side of N.Y.S. Highway Route 32 at the dividing line of lots 1 & 2 as shown on the abovementioned filed map;

THENCE South 38 degrees 28 minutes 15 seconds West a distance of 70.00 feet along the westerly side of N.Y.S. HIGHWAY ROUTE 32 to a point;

THENCE along the lands now or formerly ROMAN CATHOLIC CHURCH OF ST. JOSEPH (liber 1656 page 1024) the following four (4) courses and distances:

- 1) North 22 degrees 20 minutes 00 seconds West a distance of 279.25 feet;
- 2) North 61 degrees 01 minutes 00 seconds West a distance of 515.40 feet;
- 3) North 60 degrees 42 minutes 00 seconds West a distance of 277.20 feet;
- 4) North 63 degrees 10 minutes 00 seconds West a distance of 69.71 feet to a concrete monument;

THENCE North 41 degrees 59 minutes 10 seconds East a distance of 370.54 feet along the lands now or formerly CENTRAL HUDSON GAS & ELECTRIC CORP. (liber 1625 page 614) to a concrete monument;

THENCE South 59 degrees 12 minutes 00 seconds East a distance of 841.01 feet along the lands now or formerly STRACK (liber 4504 page 60) to a point;

THENCE along the lands now or formerly DENHOFF DEVELOPMENT CORP. (liber 2883 page 224, lot 1, map no. 6610) the following four (4) courses and distances:

- 1) South 31 degrees 36 minutes 32 seconds West a distance of 221.84 feet;
- 2) South 16 degrees 10 minutes 24 seconds West a distance of 111.47 feet;
- 3) South 22 degrees 20 minutes 00 seconds East a distance of 167.58 feet;
- 4) South 51 degrees 31 minutes 45 seconds East a distance of 22.77 feet to the point or place of BEGINNING.

GOSHEN SEARCHERS INC.

20 SCOTCHTOWN AVENUE
GOSHEN, NEW YORK 10924
OFFICE: 914-294-5110
COUNTY BUILDING: 914-294-6913
NEWBURGH TIE LINE: 914-564-6150
FAX 914-294-9581



LEGAL DESCRIPTION

SCHEDULE "A" (parcel II)

BEGINNING at concrete monument at the northwesterly corner of lands now or formerly Central Hudson Gas & Electric Corp. (liber 1625 page 614) and being North 59 degrees 12 minutes 00 seconds West a distance of 152.91 feet from a concrete monument at the eand of the sixth (6) course in parcel I as described above;

THENCE South 41 degrees 59 minutes 10 seconds West a distance of 378.32 feet along the lands now or formerly CENTRAL HUDSON GAS & ELECTRIC CORP. (liber 1625 page 614) to a concrete monument said point also being North 62 degrees 01 minutes 50 seconds West a distance of 154.60 feet from a concrete monument at the end of the fifth (5) course in parcel I as described above;

THENCE North 62 degrees 01 minutes 50 seconds West a distance of 305.79 feet along the lands now or formerly ROMAN CATHOLIC CHURCH OF ST. JOSEPH (liber 1656 page 1024) to a point South 62 degrees 01 minutes 50 seconds West a distance of 160.45 feet from a 1 1/2" iron pipe in a stone pile;

THENCE North 38 degrees 53 minutes 30 seconds East a distance of 383.47 feet to a point South 60 degrees 06 minutes 20 seconds East a distance of 280.00 feet from a 1" iron pipe in a stone pile and South 61 degrees 48 minutes 00 seconds East a distance of 145.00 feet along the lands now or formerly MENORAH HILL, INC. (liber 3447 page 312) to a concrete monument;

THENCE South 59 degrees 12 minutes 00 seconds East a distance of 179.97 feet along the lands now or formerly CENTRAL HUDSON GAS & ELECTRIC CORP. (liber 1608 page 69) to the point or place of BEGINNING.

SUBJECT TO three (3) right-of-ways as described in liber 1625 page 614, liber 2883 page 225 and liber 4796 page 127 (as shown on filed map number 6610)

TOGETHER with and subject to covenants, easements and restrictions of record.

CONTAINING - 9.992 acres of land more or less.

The intent of this Scope of Work is to furnish all labor and materials, equipment and incidentals for the completion of the signage for the project in strict accordance with the drawings and specifications dated and listed below as follows:

A. Description of Work Included: Notwithstanding the requirements of the invitation to bid, this bid form and the contract drawings and specifications; the information provided below is for purposes of generally summarizing the scope of this bid package.

1. Please be advised that this work shall be performed per plans and specifications.
2. This is a "Merit Shop Project".
3. Bidders shall assume the following:
4. The Signage Subcontractor will be responsible for all engineering and layout for the execution of this work.
5. Provide and protect the surrounding buildings and grounds from damage during the course of work. The Signage Subcontractor shall be responsible to protect his own work from damage until such work is accepted by the Owner.
6. Provide daily and final cleanup for this scope of work. The project must be kept clean at all times.
7. All work shall be completed in accordance with OSHA and any state or local requirements. The most stringent requirement shall apply.
8. Notification of "underground" is the responsibility of the Signage Subcontractor.
9. Delete pylon sign detail 6A on drawing A7.1 and replace with new pylon sign detail to fabricate and install one double sided sign as per digital photo and the following:
 - a. The top sign will be 5 ft. x 14 ft. and the changeable letter sign will be 3 ft. x 11 ft. The sign will have an overall height of 24 ft.
 - b. Both cabinets will be welded 2" x 2" x 1/8" steel tube frame, with 2" and 1" square tube spreaders. The frame will be covered with .080 aluminum.
 - c. The U.R. cabinet will have a heavy duty ABC aluminum retro frame attached to the tube. This extrusion has its own built in tensioning system for flex faces. One of the faces will be hinged along the top for servicing. The changeable letter sign will have removable and retainers so the face can be slid open for service.
 - d. After fabricating, the frame and cabinet will be sanded, cleaned, then sprayed with an acid etch wash primer and finished with Matthews' two-part polyurethane, white on the inside and blue on the outside.
 - e. The U.R. sign will be lit using fourteen (14) F60 high output lamps, Kulka pitched and gasketed sockets, and three (3) advance low temperature sign ballast. The changeable letter sign will be lit using twelve (12) F36 high output lamps, Kulka pitched and gasketed sockets, and two (2) advance low temperature sign ballasts.
 - f. The U.R. sign faces will be Ultralon IV, which are coated polyester fabric with a factory topcoat of Fluoralon, which is designed to provide protection from pollution and UV deterioration. The graphics will be applied using 3-M high performance translucent vinyl applied to the faces.
 - g. The changeable letter faces will be made from 3/16" white Lexan, glue polycarbonate track on the faces to accept three (3) lines of 8" changeable copy. Supply 300 letters and numbers, a plastic storage box, and a 6-foot to 12-foot telescoping change arm.
 - h. The signs will be supported by using a 10" sch. 40 pipe embedded 5 feet below grade in 6 cubic yards of 3000 lb. Concrete. This pipe will go up 16 feet above grade and will have a steel plate welded to the top. There will be a match plate that will be bolted to the lower plate and a 6" sch. 40 pipe welded to it extending through the signs to the top of the U.R. sign.
 - i. The pole cover will be fabricated using .080 aluminum. It will be 46" wide x 16 ft. tall. The center silver area will be raised 1" above the blue. Fabricated steel angle frames to support the pole cover, they will be welded to the 10" pipe. The pole cover will be painted as above.
10. The main building sign detail 1D, drawing A7-1.
11. Sales floor logo detail 2C, drawing A7-1.

B. Description of Work Excluded:

1. Perimeter sign detail 3D / A7.1
2. Menu board detail 4B / A7.1
3. Gondola sign detail 3B / A7.1
4. Pylon sign detail 6A / A7.1 (see description of work included, item A number 9.)
5. Sign at storefront 4A / A7.1

Goshen Searchers, Inc.

20 SCOTCHTOWN AVENUE

GOSHEN, NEW YORK 10924

OFFICE: 914-294-5110 COUNTY BUILDING: 914-294-6913 NEWBURGH TIE LINE: 914-364-6150 FAX: 914-294-9581

AGENT FOR

FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK

PRELIMINARY CERTIFICATE

No. GO 10749

Fee Insurance Amount

No. FAM 721 O-0749

Mortgage Insurance Amount \$250,000.00

Application of DANIEL J. BLOOM, ESQ.

Policy Insuring:

Ellenville National Bank, its Successors and/or Assigns

FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK certifies that the title to the premises described in Schedule A, subject to the encumbrances and defects noted in Schedule B, is insurable at this date on a valid conveyance, lease or mortgage by:

Michael A. Calvet by the following deeds:

PARCEL I: From Calvet Tool Rental & Servicenter, Inc., dated 5/27/98 and recorded 6/1/98 in Liber 4796 at page 124.

PARCEL II: From Calvet Tool Rental & Servicenter, Inc., dated 5/27/98 and recorded 6/1/98 in Liber 4796 at page 130.

THIS TITLE IS CERTIFIED DOWN TO THE 10th

DAY OF April, 2000

Agent

THIS CERTIFICATE IS RE-DATED DOWN TO THE

DAY OF

Closer

SCHEDULE A

GO 10749

PARCEL I:

ALL that certain piece or parcel of land lying, situate and being in the Town of New Windsor, Orange County, New York, being Lot No. 2 as shown on a map entitled "Calvet Tool Rental, Inc., Minor Subdivision", said map having been filed in the Orange County Clerk's Office on 20 June 1984 as Map No. 6610, and being more particularly described as follows:

BEGINNING at a point in the westerly line of the N.Y.S. Highway known as Route 32 (S.H. 9033), said point being at the intersection of said line with the southerly line of lands now or formerly of Calvet Tool Rental, Inc. and the northerly line of the St. Joseph's Elementary School Property, and running thence, the following courses:

1. Along said St. Joseph's Elementary School Property N 22 degrees 20' 00" W 279.25' to a point;
2. Still along said St. Joseph's Elementary School Property N 61 degrees 01' 00" W 300.00' to a point;
3. Along Lot 3, N 33 degrees 27' 02" E 344.96' to a point in the southerly line of lands now or formerly of Honsberg;
4. Along said Honsberg, S 59 degrees 12' 00" E 335.00' to a point;
5. Along Lot 1, S 31 degrees 36' 32" W 221.84' to a point;
6. Still along said Lot 1, S 16 degrees 10' 24" W 111.47' to a point;
7. Still along said Lot 1, S 22 degrees 20' 00" E 167.58' to a point;
8. Still along said Lot 1, S 51 degrees 31' 45" E 22.77' to a point in the westerly line of Route 32;
9. Along said westerly line of Route 32, S 38 degrees 28' 15" W 70.00' to the point or place of beginning.

CONTAINING 129,004 square feet, 2.96 acres of land, more or less.

SUBJECT to a right of way for ingress and egress in favor of Lot 3, as shown on the above referenced subdivision map, being more particularly described as follows:

BEGINNING at a point in the westerly line of the New York State Highway known as Route 32 (S.H. 9033), said point being at the intersection of said line with the southerly line of lands now or formerly of Calvet Tool Rental, Inc. and the northerly line of the St. Joseph's Elementary School Property, and running thence, the following courses:

CONTINUED

PAGE 2

1. Along said St. Joseph's Elementary School Property, N 22 degrees 20' 00" W 279.25' to a point;
2. Still along said St. Joseph's Elementary School Property, N 61 degrees 01' 00" W 300.00' to a point;
3. Along Lot 3, N 33 degrees 27' 02" E 50.23' to a point;
4. Through Lot 2, S 61 degrees 01' 00" E 361.64' to a point in the westerly line of Lot 1;
5. Along Lot 1, S 16 degrees 10' 24" W 48.28' to a point;
6. Still along said Lot 1, S 22 degrees 20' 00" E 167.58' to a point;
7. Still along said Lot 1, S 51 degrees 31' 45" E 22.77' to a point in the westerly line of Route 32;
8. Along said westerly line of Route 32, S 38 degrees 28' 15" W 70.00' to the point or place of beginning.

PARCEL II:

ALL that certain piece or parcel of land lying, situate and being in the Town of New Windsor, Orange County, New York, being Lot No. 3, as shown on a map entitled "Calvet Tool Rental, Inc., Minor Subdivision", said map having been filed in the Orange County Clerk's Office on 29 June 1984 as Map No. 6610, and being more particularly described as follows:

BEGINNING at a point in the southerly line of lands now or formerly of Calvet Tool Rental, Inc. and in the northerly line of the St. Joseph's Elementary School Property, said point being the southeasterly corner of Lot 3 herein described, and the southwesterly corner of Lot 2 as shown on the above referenced subdivision map, and also being N 22 degrees 20' 00" W 279.25' and N 61 degrees 01' 00" W 300.00' from the westerly line of the N.Y.S. Highway known as Route 32 (S.H. 9033), as measured along the southerly line of Lot 2, and running thence, from said point of beginning, the following courses:

1. N 61 degrees 01' 00" W 215.40' to a point;
2. N 60 degrees 42' 00" W 277.20' to a point;
3. N 63 degrees 10' 00" W 107.40' to a point;
4. N 60 degrees 44' 00" W 135.40' to a point;
5. N 61 degrees 07' 00" W 179.70' to a point;
6. N 61 degrees 15' 00" W 107.60' to a point in the line of lands now or formerly of Bockar;
7. Along said Bockar lands, N 40 degrees 36' 00" E 385.19' to a point;
8. Along lands now or formerly of Central Hudson Gas and Electric Corporation, S 59 degrees 12' 00" E 465.90' to a point;
9. Along lands now or formerly of Honsberg, S 59 degrees 12' 00" E 506.01' to a point;
10. Along the westerly line of Lot 2, S 33 degrees 27' 02" W 344.96' to the point or place of beginning.

CONTAINING 7.00 acres of land more or less.

CONTINUED

PAGE 3

EXCEPTING, however, the parcel conveyed to Central Hudson Gas & Electric Corp. by deed recorded in the Orange County Clerk's Office in Liber 1625 of Deeds at page 614, and together with rights of access to a right of way, fifty (50) feet in width, at a location to be determined by Central Hudson Gas & Electric Corporation across said parcel.

TOGETHER with a right of way for purposes of ingress and egress, through Lot 2, as shown on the above referenced subdivision map, and being more particularly described as follows:

BEGINNING at a point in the westerly line of the New York State Highway known as Route 32 (S.H. 9033), said point being at the intersection of said line with the southerly line of lands now or formerly of Calvet Tool Rental, Inc., and the northerly line of the St. Joseph's Elementary School Property, and running thence, the following courses:

1. Along said St. Joseph's Elementary School Property,
2. Still along said St. Joseph's Elementary School Property, N 61 degrees 01' 00" W 300.00' to a point,
3. Along Lot 3, N 33 degrees 27' 02" E 50.23' to point in the westerly line of Lot 1;
4. Through Lot 2, S 61 degrees 01' 00" E 361.64' to a point in the westerly line of Lot 1;
5. Along Lot 1, S 16 degrees 10' 24" W 48.28' to a point;
6. Still along said Lot 1, S 22 degrees 20' 00" E 167.58' to a point;
7. Still along said Lot 1, S 51 degrees 31' 45" E 22.77' to a point in the westerly line of Route 32;
8. Along said westerly line of Route 32, S 38 degrees 28' 15" W 70.00' to the point or place of beginning.

SCHEDULE B**TAX PAGE**

GO 10749

1. Taxes, Water Rents, Assessments and other Municipal Charges:

The unpaid taxes, water rates, assessments and other matters relating to taxes which are liens at the date of this certificate are set forth below.

Our policy does not insure against such items which have not become a lien up to the date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots above mentioned cover more or less than the premises under examination, this fact will be noted herein. In such case, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Town of New Windsor

County of ORANGE COUNTY

State of New York

2000 Town of New Windsor

Rolls:

ASSESSED TO: Michael A. Calvet
124 Windsor Highway

Section 9 Block 1 Lot 15.2
Liber 4796 Cp 124

Land value \$21,000.00
Full value \$93,600.00

2000 State, County & Town \$5,420.81 UNPAID

1999-2000 School taxes are UNDER INVESTIGATION.

Proof of payment of all water and/or sewer charges.

CONTINUED

Recent payments of any open items returned on this tax search may not yet be reflected on public records. Therefore please request the seller or borrower to have the receipted bills available at the closing.

Proof must be furnished that premises do not lie in an incorporated village or that all village taxes have been paid. Otherwise the policy will except "any and all village taxes, assessments and water rates and sales thereof."

SCHEDULE B**TAX PAGE**

GO 10749

1. Taxes, Water Rents, Assessments and other Municipal Charges:

The unpaid taxes, water rates, assessments and other matters relating to taxes which are liens at the date of this certificate are set forth below.

Our policy does not insure against such items which have not become a lien up to the date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots above mentioned cover more or less than the premises under examination, this fact will be noted herein. In such case, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Town of New Windsor

County of ORANGE COUNTY

State of New York

2000 Town of New Windsor Rolls:

ASSESSED TO: Michael A. Calvet
Windsor Highway
4.30 acres

Section 9 Block 1 Lot 15.3
Liber 4796 Cp 124

Land and Full value \$11,600.00

2000 State, County & Town \$1,211.28 UNPAID

1999-2000 School taxes are UNDER INVESTIGATION.

Proof of payment of all water and/or sewer charges.

CONTINUED

Recent payments of any open items returned on this tax search may not yet be reflected on public records. Therefore please request the seller or borrower to have the receipted bills available at the closing.

Proof must be furnished that premises do not lie in an incorporated village or that all village taxes have been paid. Otherwise the policy will except "any and all village taxes, assessments and water rates and sales thereof."

SCHEDULE B**TAX PAGE**

GO 10749

1. Taxes, Water Rents, Assessments and other Municipal Charges:

The unpaid taxes, water rates, assessments and other matters relating to taxes which are liens at the date of this certificate are set forth below.

Our policy does not insure against such items which have not become a lien up to the date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises to be insured abut. If the tax lots above mentioned cover more or less than the premises under examination, this fact will be noted herein. In such case, the interested parties should take the necessary steps to make the tax map conform to the description to be insured.

Town of New Windsor

County of ORANGE COUNTY

State of New York

2000 Town of New Windsor

Rolls:

ASSESSED TO: Michael A. Calvet
Windsor Highway
2.70 acres

Section 9 Block 1 Lot 15.4
Liber 4796 Cp 124

Land and Full value \$5,400.00

2000 State, County & Town \$252.23 UNPAID

1999-2000 School taxes are UNDER INVESTIGATION.

Proof of payment of all water and/or sewer charges.

Recent payments of any open items returned on this tax search may not yet be reflected on public records. Therefore please request the seller or borrower to have the receipted bills available at the closing.

Proof must be furnished that premises do not lie in an incorporated village or that all village taxes have been paid. Otherwise the policy will except "any and all village taxes, assessments and water rates and sales thereof."

MORTGAGE PAGE

10749

2. Mortgages and Assignments thereof ONE (1)

Mortgagor: Calvet Tool Rental and Servicenter, Inc.

Amount: \$75,000.00

Dated: 2/28/85 Recrd: 2/28/85 Liber: 1980 mp. 342

Mortgagee: Key Bank of Southeastern New York, N.A.

Mortgage modified by agreement dated 7/19/88 and recorded 8/1/88 in Liber 2981 cp 7.

Mortgagor:

Amount:

Dated: Recrd: Liber: mp.

Mortgagee:

This mortgage unless it is to be insured, will appear as an exception from coverage. THE INFORMATION SET FORTH HEREIN IS NOT COMPLETE. REFERENCE SHOULD BE MADE TO THE RECORDED INSTRUMENT. Sometimes, the provisions of a mortgage are modified by agreements which are not recorded. We suggest that you communicate with the mortgagee, if you desire any additional information.

OBJECTION PAGE

10749

3. Zoning Restrictions or Ordinances Imposed by any Governmental Body.
4. Restrictive Covenants, Easements, Agreements, and Consents, including Set-Back Established by Filed or Recorded Map.
GRANTS: Liber 962 cp 14; Liber 1475 cp 121

FOR MORTGAGE PURPOSES ONLY: Policy insures such grants do not create any rights that would result in any reversion or forfeiture of title.

AGREEMENT AND RIGHTS: Liber 1625 cp 614

FOR MORTGAGE PURPOSES ONLY: Policy insures such grants do not create any rights that would result in any reversion or forfeiture of title.

5. Survey: Any state of facts a survey of the premises described in Schedule "A" would disclose.
6. Judgments, Bankruptcies, Corporate Franchise Taxes and Other State or Federal Liens. (set forth under Section 7, if any).
7. Other Encumbrances or Defects:
 - A. The Company does not insure that the buildings or other erections upon the premises herein, or their use, comply with Federal, State and Municipal Laws, regulations and ordinances.
 - B. No title to personal property will be insured nor has any search for chattel mortgages been made.
 - C. No title is insured to any land lying in any street, road or avenue crossing or abutting the herein described premises; but, unless hereinafter excepted, the rights of access to and egress from said premises is insured.
 - D. Deeds and mortgages must contain the covenant required by the Lien Law as amended by laws of 1942 and such covenants must be absolute and not conditional. The covenant is not required in deeds from referees or other persons appointed by a court for the sole purpose of selling property.
 - E. The identity of parties at the closing of this title should be established to the satisfaction of the closing attorney acting for this Company.

CONTINUED

OBJECTION PAGE

10749

- F. When the transaction is an assignment of a mortgage or other lien, an estoppel certificate executed by the owner of the fee and by the holders of all subsequent encumbrances must be obtained. When the transaction is a mortgage, the amount actually advanced should be reported to the Company.
- G. Rights of present tenants, lessees or parties in possession.
- H. Rights, if any, in favor of any electric light or telephone company to maintain guy wires extending from said premises to poles located on the roads on which said premises abut, but policy will insure, however, that there are no such agreements of record, in connection therewith, except as may be shown herein.
- I. Underground encroachments and easements, if any, including pipes and drains, and such rights as may exist for entry upon said premises to maintain, and repair the same, but policy will insure, however, that there are no such agreements of record, in connection therewith, except as may be shown herein.
- J. The exact acreage of the premises herein will not be insured.
- K. Riparian rights, if any, in favor of the premises herein are not insured.
- L. Rights of others to drain through creeks or streams, if any, which cross premises and the natural flow thereof will be excepted.
- M. No personal inspection of the premises has been made. Policy will except "Any state of facts which a personal inspection of the premises herein described would disclose."
- N. Loss or damage by reason of non-compliance with the Federal "Truth in Lending Act".
- O. Proof of payment of all water and/or sewer charges.

CONTINUED

OBJECTION PAGE

10749

- P. Access to northwesterly most portion of premises (Tax Lot 15.4) is only over other lands of insured and over a 50' wide right of way over a parcel of land conveyed to Central Hudson Gas and Electric by Liber 1625 cp 614. Policy insures rights over same but does not insure the location or condition of same and does not insure it is useable or passable. Further, policy excepts the rights of owners of burdened parcel to relocate said right of way at their discretion.
- Q. No rights in and to any springs or pipes, mains or conduits running to and from same are insured.
- R. Mortgage recorded in Liber 1980 mp 342, modified by agreement in Liber 2981 cp 7, last held of record by Key Bank of Southeastern New York, N.A. to be considered and disposed of.
- S. Subject to Easement granted in Liber 2635 cp 77.

used letter from owner

FOR MORTGAGE PURPOSES ONLY: Policy insures such grants do not create any rights that would result in any reversion or forfeiture of title.

- used letter from owner*
- T. Lien, if any, of unpaid franchise taxes against:
Calvet Tool Rental & Servicer, Inc. (to 6/98)
UNDER INVESTIGATION

- U. Lot 2 (Parcel 1 herein) is subject to a right of way in favor of the remaining lands herein (Parcel II) as set forth in Liber 4796 cp 130.

- V. Subject to Lease Liber 5170 cp 173.

- W. Open taxes must be paid. Amounts set forth herein were obtained from the Office of the Orange County Commissioner of Finance and should be considered as "For Information" at this time. When final closing date is set, exact amounts due and owing must be obtained from said office. Amounts change monthly.

- X. Subject to Notes 1-6 on Map #6610.

checked

FOR MORTGAGE PURPOSES ONLY: Policy affirmatively insures that any existing or future violation will not result in a forfeiture or reversion of title.

CONTINUED

*Used Release as summary
discussed & agreed
w/ Tenant (United
Plants)*

OBJECTION PAGE

10749

- Y. Filed map requires a shed within driveway to be removed when Lot 3 (Parcel II herein) is sold.
- Z. We have not been furnished a certified survey of the premises and, in absence of same, the exact courses and distances and acreage of the premises are not insured.
- AA. Subject to rights and easements, if any, acquired by any public utilities company to maintain its poles and operate its wires, lines, etc., in, to and over the premises herein, and in, to and over the street adjacent thereto.
- FOR MORTGAGE PURPOSES ONLY: Policy insures such grants do not create any rights that would result in any reversion or forfeiture of title.
- BB. No lands lying in the bed or right of way of any street or road abutting or bounding the premises are insured.
- CC. Agreement Liber 479 cp 492 as same may affect the westerly portion of Parcel II herein.
- DD. Your attention is directed to attached sheet "For Information Only".

asked Peter Dargatz, Esq.
if this could be
reversed

FOR INFORMATION ONLY

10749

New York State Real Property Transfer Report for the State Board of Real Property Services must accompany each deed for recording.

That for all Deed Transactions, the Social Security Number or TIN Number of all parties will be required for forms which must accompany all Deed Transactions.

Combined Real Estate Transfer Tax Return to be executed on each closing.

Company to be advised if mortgage to be insured hereunder is under Federal Graduated Mortgage Plan and if so the maximum amount to be insured.

Invoice shows amount to be provided for Optional Future Market Value Insurance - fee insured - to initial Yes No if such insurance is requested.

The reporting requirements regarding the transfer of interests in real estate, pursuant to the Tax Reform Act of 1986, must be complied with to the satisfaction of this company.

All portions (Printed forms, descriptions, acknowledgments, signatures) of all instruments submitted for recording must be CLEAR, SHARP and LEGIBLE or the instruments will be refused by the County Clerk. _____

Identity of all persons executing the papers delivered on the closing must be established to the satisfaction of the Company.

In order to facilitate the closing of title, please notify the closing department at least 48 hours prior to the closing, of the date and place of closing, so that searches may be continued.

Deeds and mortgages must contain the covenant required by Section 13 of the Lien Law. The covenant is not required in deeds from referees or other persons appointed by a court for the sole purpose of selling property.

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ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

X

In the Matter of the Application for Variance of

Michael Calvet

AFFIDAVIT OF
SERVICE
BY MAIL

#00-46.

X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 2nd day of October, 2000, I compared the 10
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

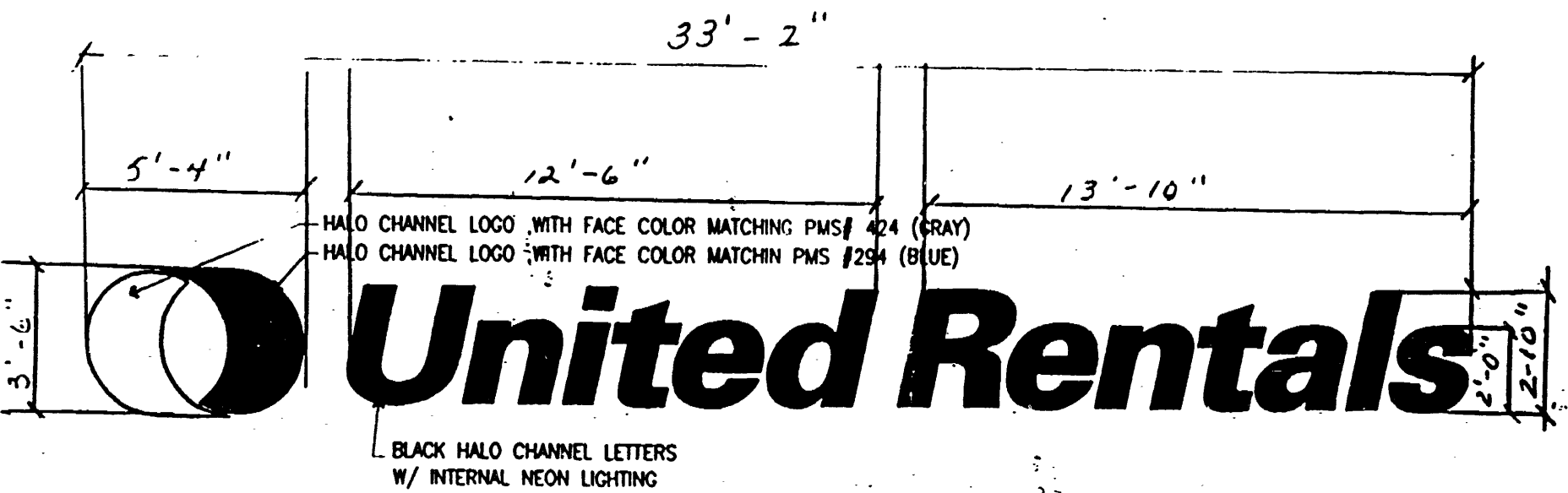
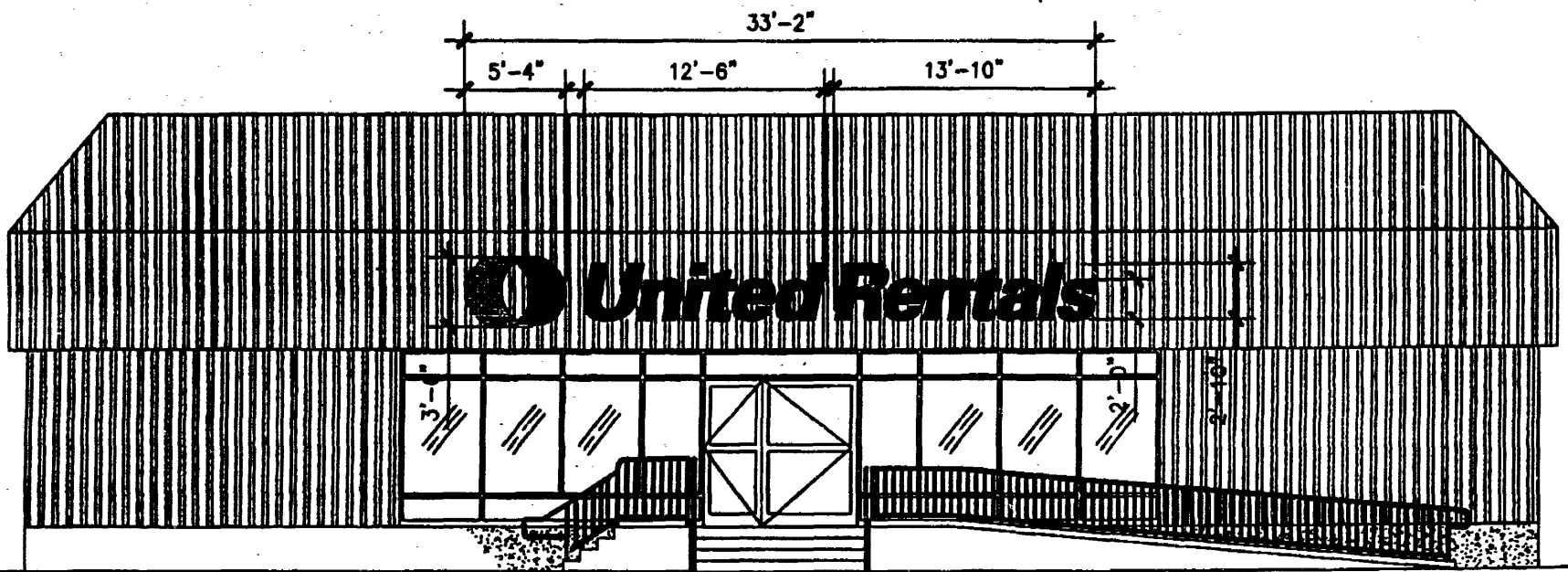
Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

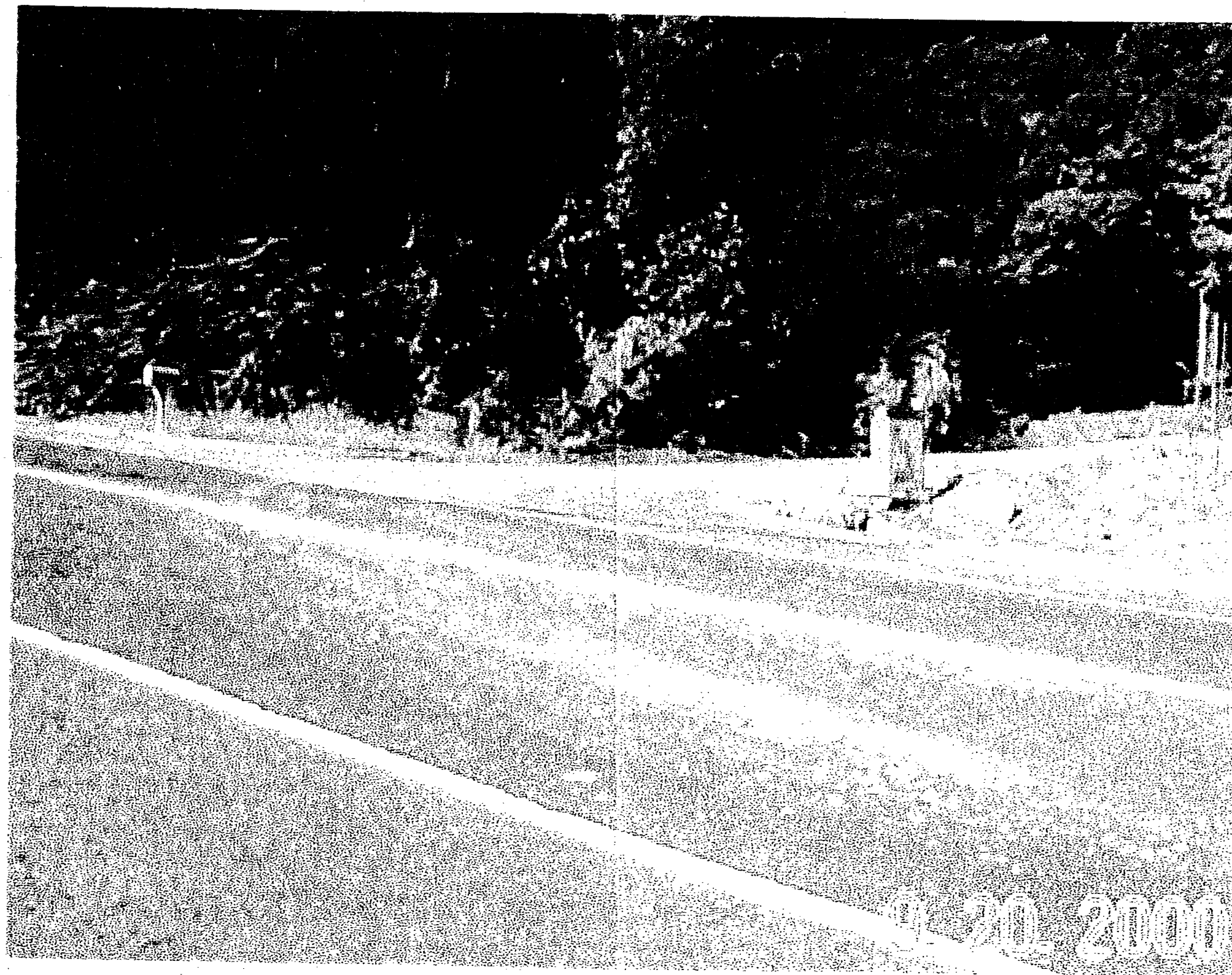


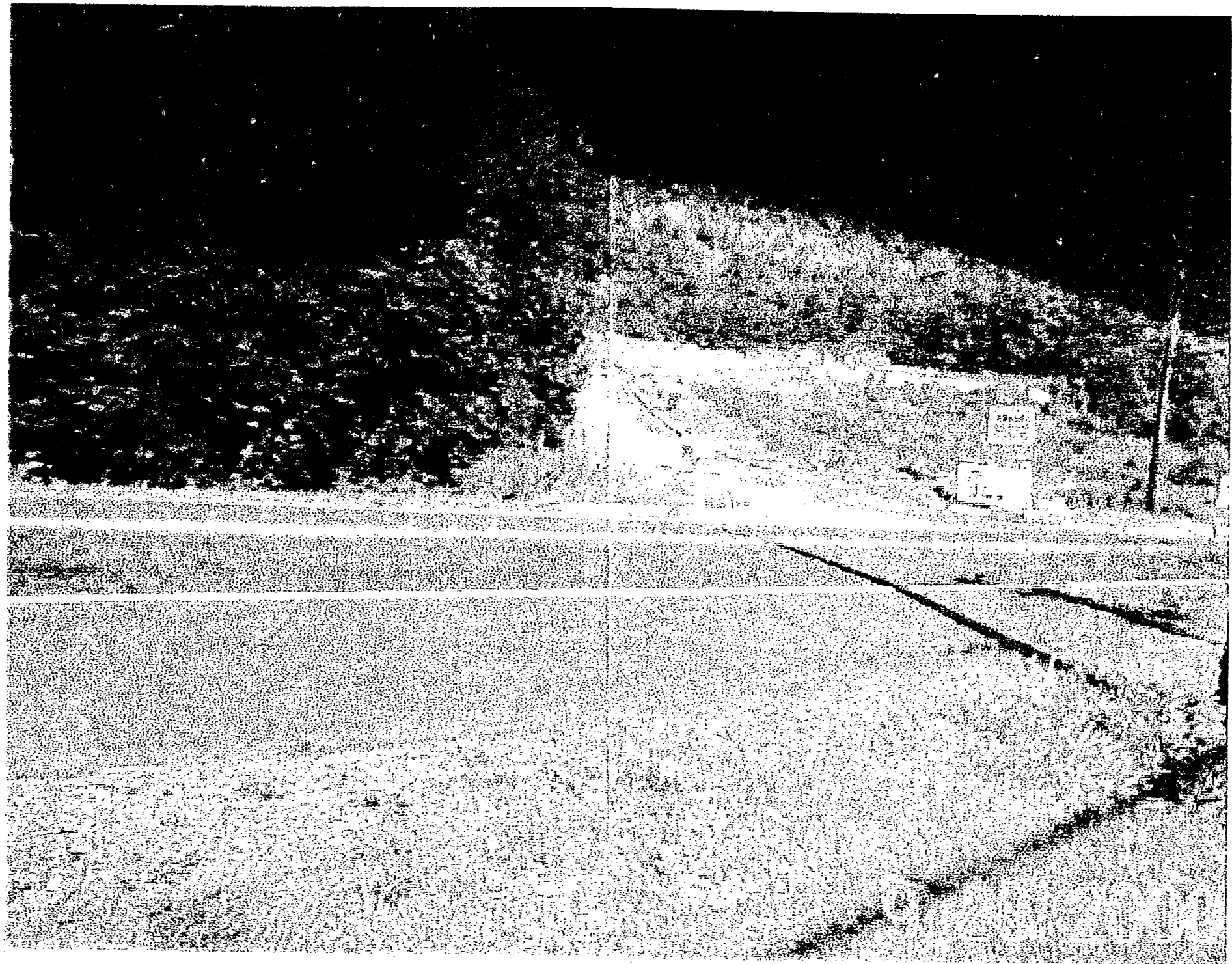
BUILDING SIGN

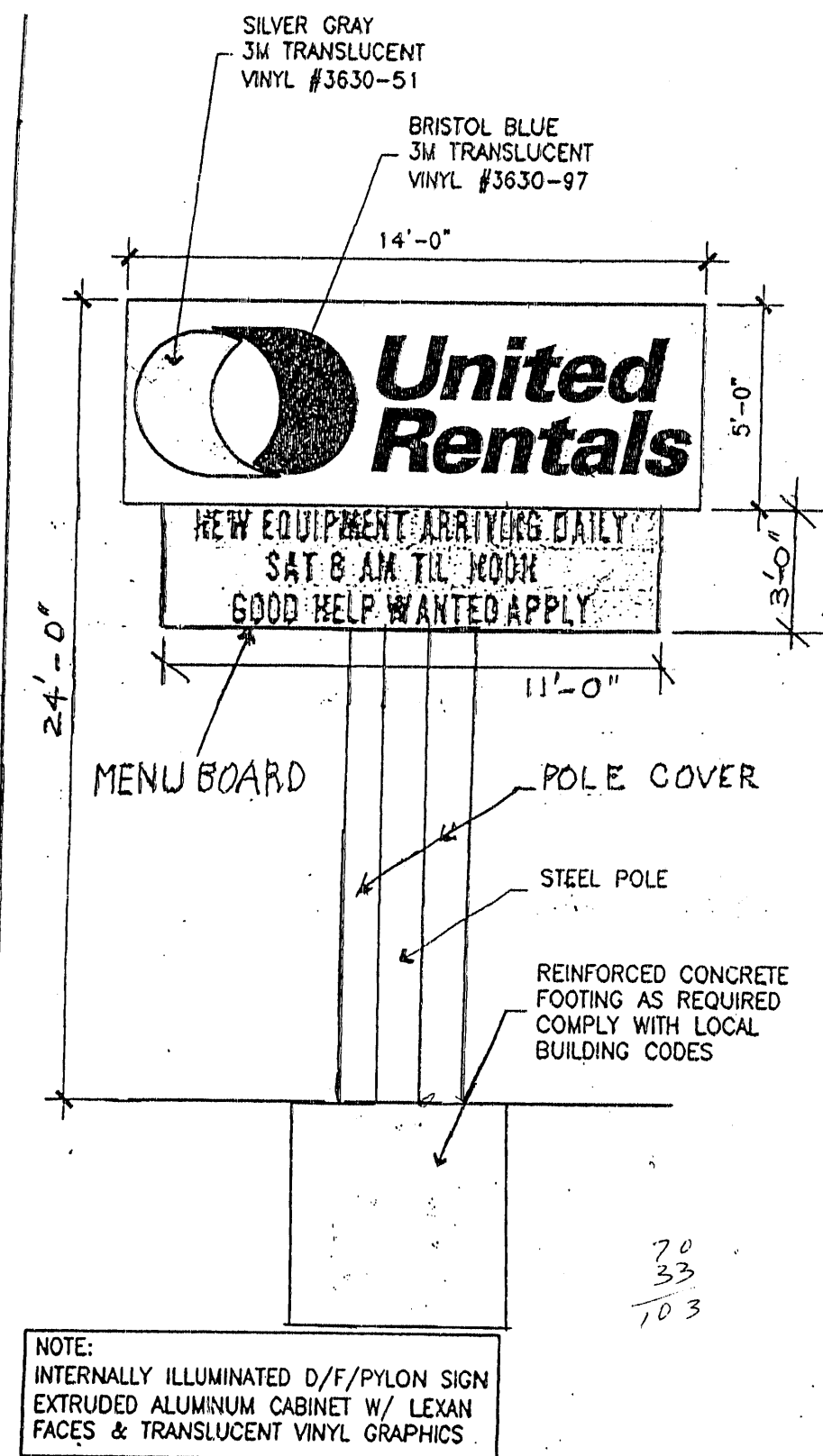
SCALE: 3/16" = 1'-0"



A7.1







PYLON SIGN

XDT_SIGN

SCALE: 1/4" = 1'-0"

6A

A7.1

